

**LEGAL DESCRIPTION
PRELIMINARY PLAT
CHANGE OF ZONE**

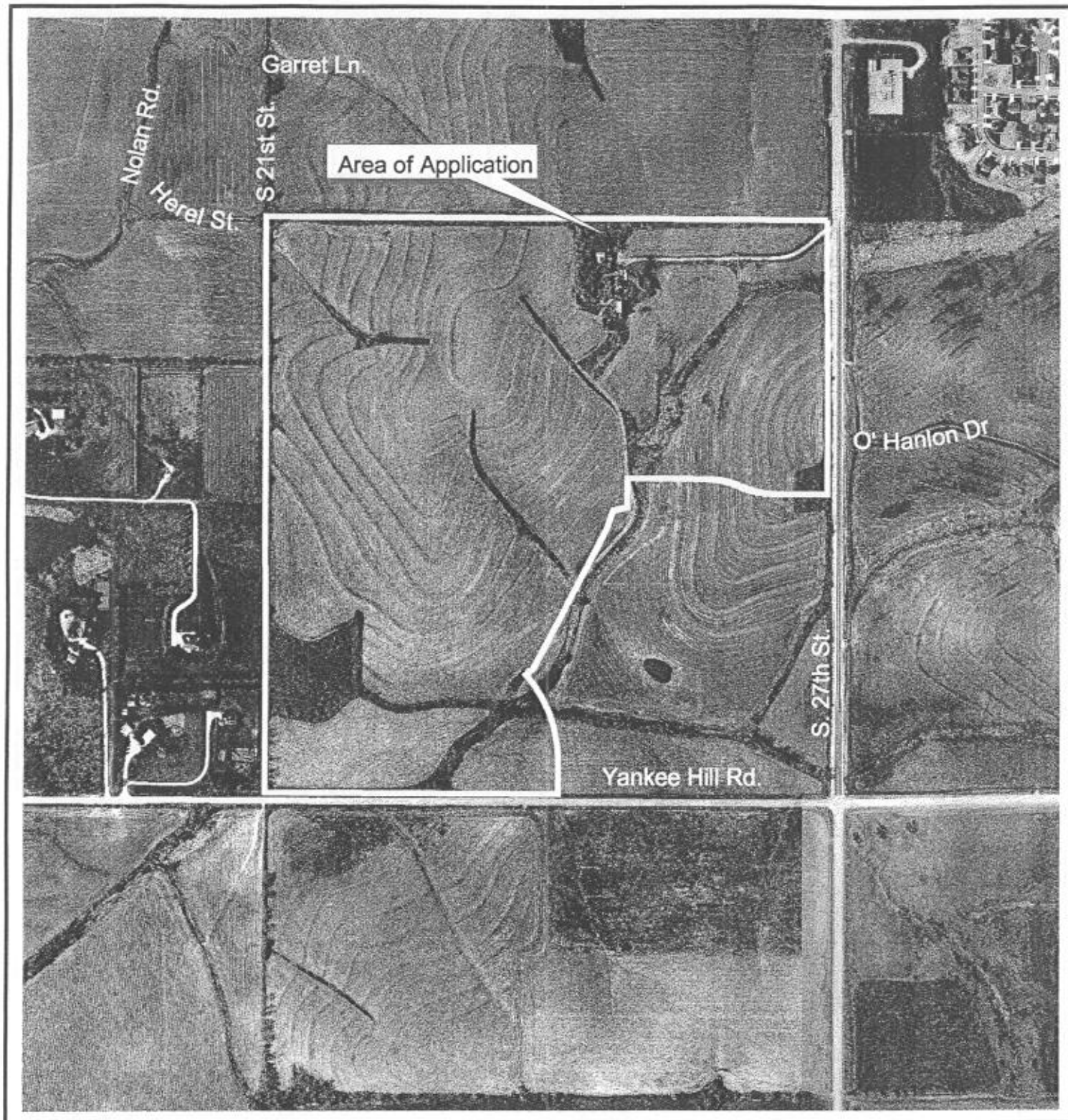
A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 80 I.T., ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 80 I.T., SAID POINT BEING 50.00 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER, AND ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 02 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 80 I.T., AND ALSO ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH 27TH STREET, SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,276.82 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 207.04 FEET TO A POINT; THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 400.0 FEET, ARC LENGTH OF 158.56 FEET, DELTA ANGLE OF 22 DEGREES 42 MINUTES 42 SECONDS, A CHORD BEARING OF NORTH 78 DEGREES 40 MINUTES 48 SECONDS WEST, AND A CHORD LENGTH OF 157.52 FEET TO A POINT; THENCE NORTH 67 DEGREES 19 MINUTES 27 SECONDS WEST, A DISTANCE OF 84.84 FEET TO A POINT; THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 400.00 FEET, ARC LENGTH OF 147.15 FEET, DELTA ANGLE OF 21 DEGREES 04 MINUTES 39 SECONDS, A CHORD BEARING OF NORTH 77 DEGREES 51 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 146.32 FEET TO A POINT; THENCE NORTH 88 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 148.41 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 52 SECONDS WEST, A DISTANCE OF 185.01 FEET TO A POINT, THENCE SOUTH 00 DEGREES 02 MINUTES 08 SECONDS EAST, A DISTANCE OF 130.00 FEET TO A POINT, THENCE SOUTH 77 DEGREES 26 MINUTES 11 SECONDS WEST, A DISTANCE OF 67.92 FEET TO A POINT, THENCE SOUTH 20 DEGREES 57 MINUTES 33 SECONDS WEST, A DISTANCE OF 86.51 FEET TO A POINT, THENCE SOUTH 28 DEGREES 01 MINUTES 29 SECONDS WEST, A DISTANCE OF 718.36 FEET TO A POINT, THENCE SOUTH 49 DEGREES 44 MINUTES 40 SECONDS WEST, A DISTANCE OF 41.65 FEET TO A POINT; THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 630.00 FEET, ARC LENGTH OF 446.81 FEET, DELTA ANGLE OF 40 DEGREES 38 MINUTES 08 SECONDS, A CHORD BEARING OF SOUTH 19 DEGREES 57 MINUTES 49 SECONDS EAST, AND A CHORD LENGTH OF 437.50 FEET TO A POINT OF TANGENCY, THENCE SOUTH 00 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 131.92 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 80 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD; THENCE NORTH 89 DEGREES 38 MINUTES 45 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 80 I.T., AND ALSO ALONG SAID

NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID LINE BEING 33.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,346.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 80 I.T., THENCE NORTH 00 DEGREES 04 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 80 I.T., SAID LINE ALSO BEING THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,614.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 80 I.T., SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 40 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 80 I.T., SAID LINE ALSO BEING THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,583.11 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 5,097,941.63 SQUARE FEET OR 117.03 ACRES, MORE OR LESS.

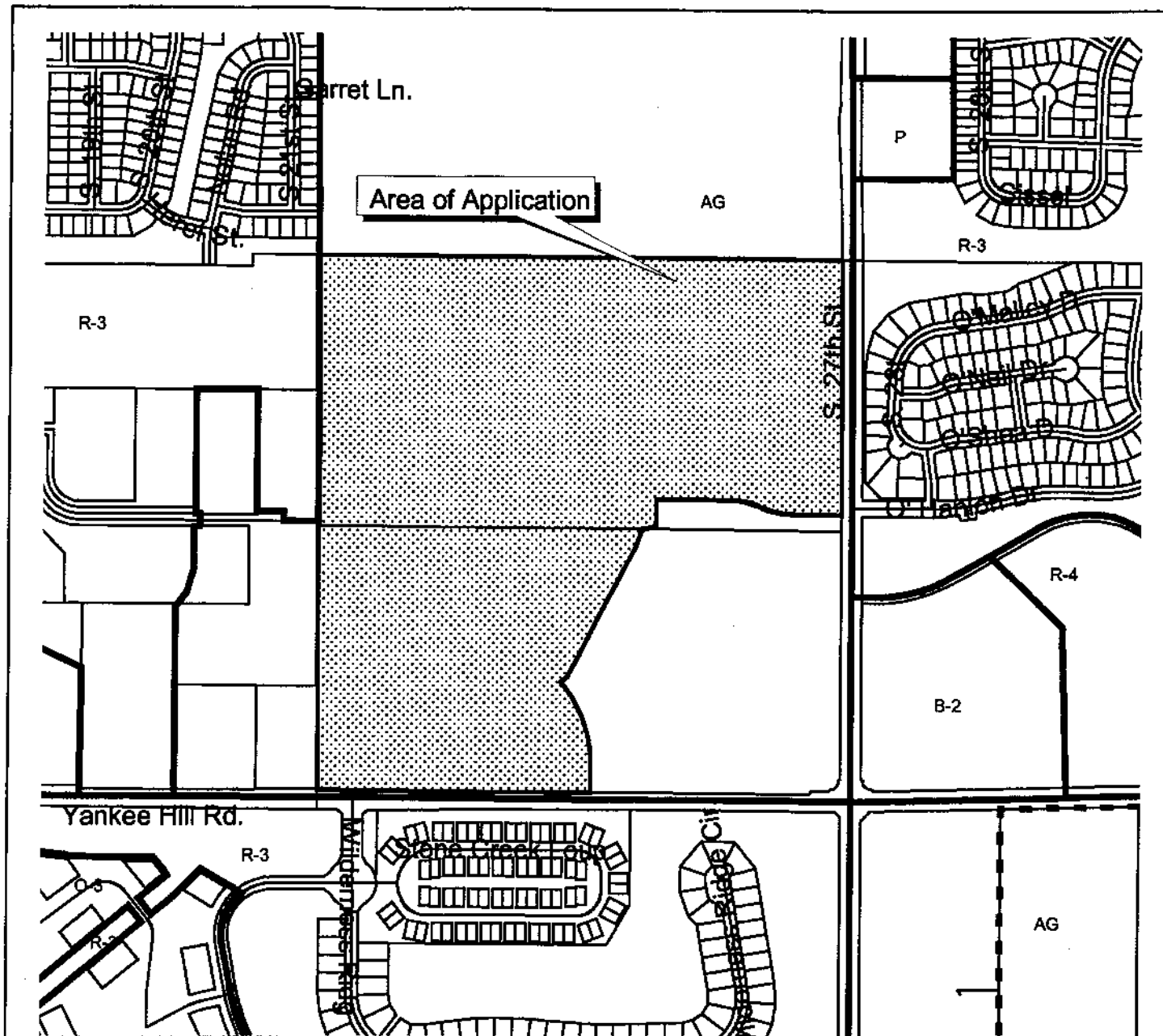
November 15, 2001 (2:38PM)

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Preliminary Plat #01010
Stone Ridge Estates
Change of Zone #3330 from AG to R-3
Special Permit #1946
S. 27th & Yankee Hill Rd.



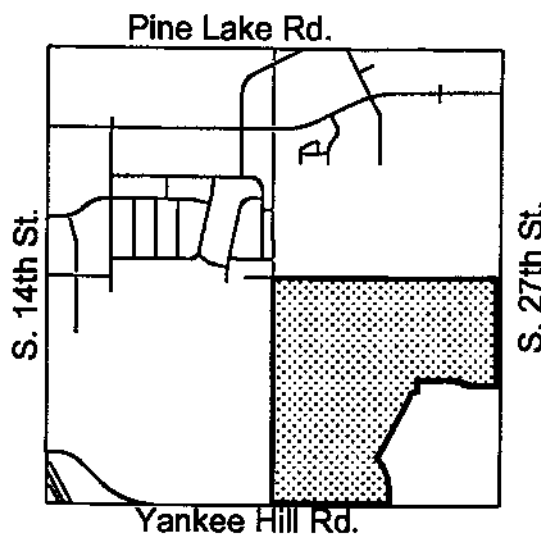
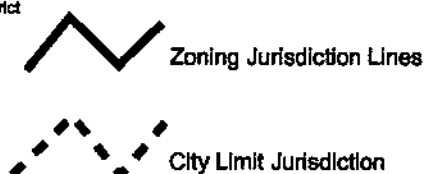


Preliminary Plat #01010
Stone Ridge Estates
Change of Zone #3330 from AG to R-3
Special Permit #1946
S. 27th & Yankee Hill Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 24 T9N R6E



019

Nov. 2001

Lincoln City - Lancaster County Planning Dept.



MOTION TO AMEND

I hereby move to amend the Conditions recommended by the Lincoln City/Lancaster County Planning Staff Report for P.A.S.#: Preliminary Plat 01010 to read as follows:

CONDITIONS:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 A corrected legal description for the CUP.
 - 1.1.2 Match the boundaries for the limits of the plat and CUP to the legend for Sheets 1 and 2.
 - 1.1.3 A corrected typical cross-section for public way corridors on Sheet 1.
 - 1.1.4 Match the limits for the CUP on Sheets 1 and 2.
 - 1.1.5 Expansion of Outlot D north of Grainger Parkway adjacent to Lots 2-6, Block 17.
 - 1.1.6 Breenan Court, Jake Drive, Tropp Drive and Alena Court renamed.
 - 1.1.7 Provide utility easements as requested by L.E.S.
 - 1.1.8 Provide the required number of hydrants and the required spacing as noted by the Fire Department.
 - 1.1.9 Relocate the 10' trail along Yankee Hill Road into the adjacent 16' wide pedestrian/trail. Revise Note #9 as follows: "Sidewalks to be built along both sides of private roadways and public streets and shall be 4' min. width. The City shall be responsible for constructing the trail improvements along Yankee Hill Road abutting this Preliminary Plat. The Developer agrees to contribute Twelve Thousand Eight Hundred Dollars (\$12,800) (approximate value of 4' sidewalk width times approximately 1,300 feet long at \$2.45 per square feet) to the City to defray the cost of

the Yankee Hill Trail infrastructure improvements within thirty (30) days of receipt of notice from the City that the Yankee Hill Road trail has been completed. The Developer and its successors and assigns agree to provide the necessary security for said amount pursuant to the City sidewalk security requirements. This trail improvement will serve as a sidewalk and the Developer shall have no further obligation for the construction of a sidewalk along the north side of Yankee Hill Road.

- 1.1.10 Provide an average spacing of 70 feet for the street trees along Yankee Hill Road.
- 1.1.11 A storm sewer and drainage plan approved by Public Works.
- 1.1.12 Delete Note #29 from the plat. It is stated more clearly and completely in Note #31.
- 1.1.13 Revise Note #30 as follows: "Lots in the CUP may be created without frontage on a public street if they have access to a private roadway.
- 1.1.14 Provide correct density calculations for the CUP.
- 1.1.15 Creation of Outlot F that includes the open space within the limits of the CUP.
- 1.1.16 Remove that portion of the lot line that separates the strip of Outlot E between Lot 1, Block 15 and Grainger Parkway from the remainder of Outlot E.

~~1.2 Sewer connection fees to be determined by the City Attorney.~~

2. The City Council approves associated requests:

- 2.1 Change of Zone #3330.
- 2.3 Special Permit #1946.
- 2.4 A waiver to curb and gutter ~~provided the owner agrees to contribute 25% of the cost of improvements to~~ that those portions of South 27th Street and Yankee Hill Road adjacent to this development.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:

- 3.1 The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, water mains, sanitary sewer, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.
- 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
- 3.2.1 To submit to the Director of Public Works an erosion control plan.
 - 3.2.2 To protect the remaining trees on the site during construction and development.
 - 3.2.3 To continuously and regularly maintain street trees along the private roadways and landscape screens.
 - 3.2.4 To complete the private improvements shown on the preliminary plat and use permit.
 - 3.2.5 To maintain the outlots and private improvements and plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
 - 3.2.6 To submit to the lot buyers a copy of the soil analysis.
 - 3.2.8 To pay all improvement costs; provided that the City shall be responsible for constructing the trail improvements along Yankee Hill Road abutting this Preliminary Plat. The Developer agrees to contribute Twelve Thousand Eight Hundred Dollars (\$12,800) (approximate value of 4' sidewalk width times approximately 1,300 feet long at \$2.45 per square feet) to the City to defray the cost of the Yankee Hill Trail infrastructure improvements within thirty (30) days of receipt of notice from the City that the Yankee Hill Road trail has been completed. The Developer and its successors and assigns agree to provide the necessary security for said amount pursuant to the City sidewalk security requirements. This trail improvement will serve as a sidewalk and the Developer shall have no further obligation for the construction of a sidewalk along the north side of Yankee Hill Road.

- 3.2.9 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

SPECIAL PERMIT CONDITIONS:

Site Specific:

1. All revisions as required for approval of the preliminary plat.
2. This approval permits a Community Unit Plan consisting of ten single-family attached residential units.

General:

3. Before receiving building permits:
 - 3.1 The construction plans shall comply with the approved plans.
 - 3.2 Final Plats shall be approved by the City.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 5.1 Before occupying the buildings all development and construction shall have been completed in compliance with the approved plans.
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
 - 5.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the use permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Requested by: SEACREST & KALKOWSKI, P.C.